



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/631,501	08/03/2000	Timo Herranen	460-009567-US(PAR)	9806

7590  
Clarence A Green  
Perman & Green LLP  
425 Post Road  
Fairfield, CT 06430

05/16/2003

EXAMINER
----------

CAPUTO, LISA M

ART UNIT	PAPER NUMBER
----------	--------------

2876

DATE MAILED: 05/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/631,501

Applicant(s)

HERRANEN, TIMO

Examiner

Lisa M Caputo

Art Unit

2876

--Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 28 April 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  
2. ☒ The proposed amendment(s) will not be entered because:  
(a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ they raise the issue of new matter (see Note below);  
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.  
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 15, 16 and 19-21.

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 1-14, 17 and 18.

Claim(s) withdrawn from consideration: \_\_\_\_\_

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.  
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_  
10. ☒ Other: See Continuation Sheet

  
MICHAEL G. LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

Continuation Sheet (PTO-303)

• 009/631,501

Continuation of 2. NOTE: The amendment to the independent claims 1, 10, and 11 that adds the revised limitation "so that the second end moves in relation to the frame" is a new issue because this feature was never considered and was never addressed before the final rejection. This feature will require a new and updated search.

Continuation of 5. does NOT place the application in condition for allowance because: the applicant's arguments are not persuasive. Applicant argues on page 10 paragraph 3 of the after-final amendment that the second part moves inside the frame structure and that the frame structure or a part of it does not move at all. Examiner stands behind the rejection of Aldous that the second part is indeed within the frame structure and moving relative to the frame, wherein the frame is the housing 80 and the movable portion 82 is the grounding plane, which is part of the antenna and is moving relative to the frame (housing) as seen in Figure 3 of Aldous. In addition, when the rod structure of the antenna 84 is not in use it resides in the antenna rest 86 which is part of the housing and hence the antenna is placed in the frame (housing) structure.

Continuation of 10. Other: Claims 1-14, 17, and 18 remain rejected as set forth in the Final Office Action (see paper No. 11).